

**Sediment Waste Discharge Prohibitions &  
Guidelines for the Implementation of the Sediment Waste Discharge Prohibitions**

**Statement of Purpose**

The purpose of the project is to develop and adopt a Basin Plan amendment to control sediment waste discharges in the North Coast Region. The proposed amendment should result in restoration of sediment impaired watersheds (or improving trends over time in these watersheds) and should prevent degradation of non-impaired waters of the North Coast Region so that beneficial uses are supported and water quality objectives are attained and maintained.

**Statement of Intended Outcomes**

The intended outcome is a Basin Plan amendment consisting of clear, enforceable Prohibitions and Implementing Guidelines. The amendment should be structured, as far as possible, on the existing Basin Plan prohibitions, but should resolve the limitations of the current prohibitions. To do so, the proposed amendment will:

- Apply region-wide
- Include individual and cumulative impacts
- Cover all sediment-waste-generating activities
- Include all waterbodies

The Prohibitions will be independently enforceable on all discharges. The Implementing Guidelines will be used to guide Regional Water Board staff in developing permits and orders for implementation of the Prohibitions, and to advise dischargers and potential dischargers of a recommended approach to comply with the Prohibitions. While compliance with the Prohibitions will be a requirement, the Implementing Guidelines will be a legal obligation only for those discharges that are permitted or otherwise regulated by the RWQCB (permits, WDRs, TMDLs, enforcement orders), and only as those requirements are reflected in the applicable regulatory document.

<b>Revised Regional Sediment Amendment – Overall Direction, Scale &amp; Format</b>	
<b>Goal</b>	<p>Basin Plan Amendment consisting of short, clear Prohibitions and Implementing Guidelines</p> <ul style="list-style-type: none"> <li>• Region-wide</li> <li>• Include all activities</li> <li>• Include threatened discharges</li> <li>• Make Implementing Guidelines a legal obligation only through other implementation mechanisms for those activities that are regulated by the RWQCB (e.g., permits, WDRs, TMDLs, enforcement orders)</li> <li>• Include cumulative impacts</li> <li>• Include all waterbodies</li> <li>• Prohibitions independently enforceable on all activities</li> </ul>
<b>Prohibitions</b>	<p>Clear and enforceable prohibitions on sediment waste discharges using the current “amounts deleterious” threshold</p> <p>Prohibitions can be enforced in all watersheds and for any activity regardless of whether the discharger requires a permit, is in an impaired or nonimpaired watershed, or is a new or existing source.</p> <ul style="list-style-type: none"> <li>• Distinguish between threatened and actual discharge</li> <li>• No distinction between impaired and non-impaired waterbodies</li> <li>• No distinction between existing sources and new projects</li> </ul>
<b>Preamble</b>	Introductory or transitional language that will describe the intent of the Sediment Amendment and how prevention is more effective and less expensive than remediation
<b>Implementing Guidelines</b>	<p>Prohibitions <u>may</u> be implemented with Implementing Guidelines that focus on:</p> <ul style="list-style-type: none"> <li>• Prevention and minimization from new projects</li> <li>• Controlling existing sources</li> </ul> <p>For new activities: Implementing Guidelines will consist of Prevent-Minimize-Monitor-Adaptive Management  For existing sources: Implementing Guidelines will consist of Inventory-Assess-Prioritize-Control-Monitor-Adaptive Management</p> <p>Provisions of Implementing Guidelines will be inserted into permitting instruments. For non-RWQCB regulated activities, the Implementing Guidelines are suggested as a way to comply with the Prohibitions.</p>

<b>Revised Regional Sediment Amendment – Guidelines for Implementing the Sediment Waste Discharge Prohibitions</b>			
	<b>New Projects – Regulated by RWQCB</b>	<b>New Projects – Not Regulated by RWQCB</b>	<b>Existing Sources</b>
<b>All Waterbodies</b>	<p>Implementing Guidelines (prevent, minimize, monitor, adaptive mgt) will be an obligation, to the extent that they are inserted into regulatory instrument</p> <p>The Implementing Guidelines will guide permitting decisions and lay out RWQCB approach to permit conditions</p> <p>A schedule will be built into the permits.</p>	<p>Implementing Guidelines (prevent and minimize, monitor, adaptive mgt) are not a legal obligation, but must comply with Sediment Discharge Prohibitions and other existing obligations (such as antidegradation).</p> <p>Encouraged to use Implementing Guidelines to comply with the Prohibitions</p> <p>Provisions of the Implementing Guidelines, including a schedule, may become requirements under a WDR, enforcement order, or TMDL</p>	<p>Implementing Guidelines (inventory, assess, prioritize, control, monitor, adaptive mgt) not independently enforceable, but must comply with Sediment Discharge Prohibitions and other existing obligations (such as antidegradation)</p> <p>Encouraged to use Implementing Guidelines to comply with the Prohibitions</p> <p>Provisions of the Implementing Guidelines, including a schedule, may become requirements under an enforcement order, WDR, or TMDL</p>
<b>Prevent-Minimize</b>	Use these requirements as a basis for permitting new projects	Encourage this as a recommended approach, but not legally obligated	
<b>Inventory, Assess, Prioritize, Control</b>			<p>This is the recommended approach to comply with the Prohibitions</p> <p>Encourage dischargers to document volumes of sediment waste that are being discharged</p>
<b>Schedule</b>	Will be provided in permits, TMDLs, WDRs, enforcement orders	Will be provided <u>at some point</u> in TMDLs, WDRs, enforcement orders, etc.	Will be provided <u>at some point</u> in permits, TMDLs, WDRs, enforcement orders
<b>Monitoring</b>	Will be required by permits, TMDLs, WDRs, enforcement orders	This is encouraged, and will be provided <u>at some point</u> in TMDLs, WDRs, enforcement orders, etc.	This is encouraged, and will be provided <u>at some point</u> in TMDLs, WDRs, enforcement orders
<b>Adaptive Management</b>	Will be required by permits, TMDLs, WDRs, enforcement orders	This is encouraged, and will be provided <u>at some point</u> in TMDLs, WDRs, enforcement orders, etc.	This is encouraged, and will be provided <u>at some point</u> in TMDLs, WDRs, enforcement orders
<b>Volumes</b>	Minimum volumes “captured” by permits may be described in the permits	Minimum volumes regulated may be described in TMDLs, WDRs, enforcement orders, etc.	Minimum volumes regulated may be described in permits, TMDLs, WDRs, enforcement orders